

CITY OF SAN BRUNO



567 El Camino Real
San Bruno, CA 94066
Voice: (650) 616-7074
Fax: (650) 873-6749
<http://www.ci.sanbruno.ca.us>

STAFF

Tambri Heyden, AICP, *Community Development Director*
Aaron Akin, AICP, *Planning Manager*
Mark Sullivan, AICP, *Housing and Redevelopment Manager*
Beilin Yu, *Associate Planner*
Lisa Costa-Sanders, *Contract Planner*
Tony Rozzi, *Community Development Technician*
Pamela Thompson, *City Attorney*

PLANNING COMMISSIONERS

Joe Sammut, *Chair*
Sujendra Mishra, *Vice-Chair*
Mary Lou Johnson
Bob Marshall Jr.
Kevin Chase
Rick Biasotti
Perry Petersen

COMMUNITY DEVELOPMENT DEPARTMENT

PLANNING COMMISSION MINUTES

October 18, 2005
San Bruno Senior Center
1555 Crystal Springs Blvd.
7:00 P.M. to 10:00 P.M.

CALL TO ORDER at 7:03 pm

ROLL CALL

	<u>Present</u>	<u>Absent</u>
Chair Sammut	X	
Vice Chair Mishra	X	
Commissioner Johnson		X
Commissioner Marshall		X
Commissioner Chase	X	
Commissioner Biasotti	X	
Commissioner Petersen	X	

STAFF PRESENT:

Planning Division: Community Development Director: Tambri Heyden
Planning Manager: Aaron Akin
Associate Planner: Beilin Yu
Community Development Technician: Tony Rozzi

Pledge of Allegiance Commissioner Biasotti

1. Approval of Minutes – September 20, 2005

Motion to Approve Minutes of September 20, 2005 Planning Commission meeting

Petersen/Biasotti

VOTE: 4-0
AYES: All Commissioners Present
NOES:
ABSTAIN:

2. Communication

None at this time.

3. Public Comment

None at this time.

4. 2201 Rollingwood Drive

Request for a Use Permit to allow the construction of an addition which increases the Gross Floor Area by more than 50% and for a parking garage exceeding 600 square feet per Sections 12.200.030.B.1 and 12.200.080.B of the San Bruno Zoning Ordinance. Lincoln Lue (Applicant); Brian and May Cheung (Owner). **UP-05-55**

Associate Planner Yu entered staff report.

Chair Sammut asked Commission if there were any questions for staff.

Chair Sammut asked the applicant to address the Commission and introduce the project.

Applicant Lincoln Lue, the project architect, introduced himself and the owner. Applicant explained that the owner would like to expand the home for the growing family, all of who would like their own room. Currently, the owner's home is the only single-story home in the neighborhood. Applicant stated that the project met the City of San Bruno setbacks and zoning ordinances except for the expansion of more than 50% of the existing gross floor area. Applicant thanked the Planning Department staff for all of their help.

Commissioner Chase entered at 7:08 pm

Commissioner Petersen asked if the applicant had read and agreed to the staff report and Conditions of Approval.

Applicant stated that he had read the report and Conditions of Approval, however they did receive the report late and Applicant was not sure if the owner had read through the report yet. Applicant did not notice anything unusual about the staff report and Conditions of Approval.

Commissioner Petersen asked for clarification on the owner's acceptance of the Conditions of Approval.

Applicant asked the owner if the Conditions of Approval were acceptable.

Owner replied that she had not yet read the Conditions of Approval.

Applicant stated that he did not find any of the Conditions of Approval to be out of the ordinary and thus could agree to them on the owner's behalf.

Public Comment opened.

Public Comment closed.

Commissioner Petersen asked staff for clarification on the Conditions of Approval, namely that there were 16 conditions and not 15 as written in the staff report. Commissioner Petersen also asked for clarification on Condition 9, regarding the requirement of a four (4) inch drain.

Planning Manager Akin answered that when homes have three (3) bathrooms or less, only a three (3) inch pipe is needed for drainage to the street. However, with the addition of a fourth bathroom, a four (4) inch drain is required for drainage out to the lateral sewer main.

Commissioner Petersen also noted that in other applications, a home's gutter drainage must be routed to the street. Commissioner Petersen asked if this should be an additional condition to the application's staff report to make this approval consistent.

Planning Manager Akin answered in affirmative

Motion to approve Use Permit 05-55 subject to Findings of Fact 1-8 and Conditions of Approval 1-16 with the additional Condition 17 as noted.

Petersen/Biasotti

VOTE: 4-0
AYES: All Commissioners Present
NOES:
ABSTAIN: Commissioner Chase

FINDINGS FOR APPROVAL

1. Proper notice of the public hearing was given by mailing notices to property owners within 300 feet of the project site on Friday, October 7, 2005, and legal notice published in the San Mateo Times, Saturday, October 8, 2005.
2. Noticing of the public hearing, conduct of said hearing, and an opportunity for all parties to present testimony was completed in accordance with the San Bruno Municipal Code, Article III, Zoning, and Chapter 12.132.
3. The applicant has been notified, both verbally and in writing herein, of the City's provision for an administrative appeal of the Planning Commission's final action to the City Council as provided for in the San Bruno Municipal Code, Article III, Chapter 12.140.
4. The project is Categorically Exempt per the California Environmental Quality Act (CEQA) Guidelines Class 1, Section 15301: Minor expansion to an existing facility.
5. The general appearance of the proposed addition is in keeping with the character of the neighborhood and will not be detrimental to the adjacent real property because the design and materials will match the materials found in the immediate neighborhood and the proportions of the house are similar to other houses in the neighborhood.
6. The proposed addition will not unreasonably restrict or interfere with light and air on the property and other properties in the neighborhood, will not hinder or discourage the appropriate development and use of land and buildings in the neighborhood, or impair the value thereof, and is consistent with the design and scale of the neighborhood.
7. The construction of the addition is consistent with the San Bruno General Plan, which designates the property for single-family residential purposes.
8. The off-street parking is adequate for the proposed residence.

CONDITIONS FOR APPROVAL

Community Development Department – (650) 616-7074

1. The applicant shall file a declaration of acceptance of the following conditions by submitting a signed copy of the Summary of Hearing to the Department of Planning and Building within 30 days of Planning Commission approval. Until such time as the Summary is filed, Use Permit 05-55 shall not be valid for any purpose. Use Permit 05-55 shall expire one (1) year from the date of Planning Commission approval unless a building permit has been secured prior to the one (1) year date.

2. The signed copy of the conditions of approval shall be photocopied and included as a full size page in the Building Division set of drawings.
3. The request for a Use Permit for an addition shall be built according to plans approved by the Planning Commission on October 18, 2005, labeled Exhibit B except as required to be modified by these Conditions of Approval. Any modification to the approved plans shall require prior approval by the Community Development Director.
4. The applicant shall obtain a City of San Bruno building permit before construction can proceed. The operation of any equipment or performance of any outside construction related to this project shall not exceed a noise level of 85 decibels (as measured at 100 feet) during the hours of 7:00 a.m. to 10:00 p.m. or exceed 60 decibels (as measured at 100 feet) from 10:00 p.m. to 7:00 a.m.
5. Prior to Final Inspection, all pertinent conditions of approval and all improvements shall be completed to the satisfaction of the City of San Bruno.
6. The residence shall be used only as a single-family residential dwelling unit. No portion of the residence shall be rented out as a secondary residential dwelling unit.
7. The garage shall be used for the storage of motor vehicles and shall not be used as habitable living space as defined in the Uniform Building Code. Failure to conform to this condition is grounds for code enforcement action, which may result in substantial code compliance costs to bring the garage back into conformance.
8. The landing leading into the garage shall be redesigned to not encroach into the required 10'-0" by 20'-0" of unobstructed garage space. Prior to the submittal of plans to Building and Safety Department for plan check, the applicant shall revise the plans.
9. The new bathrooms shall be connected to the sewer main with a 4" drain.

Department of Public Works – (650) 616-7065

10. The applicant must obtain an encroachment permit through the Public Works Department prior to issuance of the Building Permit.
11. A sanitary sewer lateral clean-out shall be installed at property line, per City standards detail SS-01.
12. Remove weeds and grass from sidewalk, curb and gutter. Prune other plantings in public right-of-way.

13. Replace all broken or raised concrete in sidewalk or driveway approach as marked per San Bruno Municipal Code 8.12.010, City Standards 7 & 8. Marking shall take place under Building Department review.
14. No fence, retaining wall or other permanent structure shall be placed within 5'-6" from back of the sidewalk.
15. During the Building/Planning review or site visit, it was noticed that you have a fence in front built within the City public right-of-way. In accordance with San Bruno City Code Section 8.08.010 and or Section 5.04.070, this structure is prohibited. You are not required to remove it at this time, you need to be aware that it may be located over top of a public utility. If an emergency does arise that requires City or approved contractor crews to access this utility, the City and or contractor, will not be responsible for any cost associated with the removal or repair of the structure.
16. Planting of two (2) 36-inch box size tree or payment of equal value to tree fund for tree(s) and installation.
17. Storm water from new and existing roof downspouts and other on-site drainage shall be collected and drained to an underground storm water drainage system or through a curb drain to the gutter.

Chair Sammut advised of a 10-day appeal period.

5. 271 San Bruno Avenue

Request for a Use Permit to allow automobile sales in conjunction with an existing repair shop per Chapters 12.96 & 12.112 of the San Bruno Municipal Code. Michael Agleh (Applicant/Owner). **UP-05-57**

Planning Manager Aknin entered staff report.

Commissioner Petersen asked staff for clarification on the number of service spaces at the property.

Planning Manager Aknin answered that there were five (5) spaces for automobile repair.

Commissioner Petersen asked staff for an estimate of the number of total vehicles that will be parked on site, between repair and sales, at any given time during the hours of operation.

Planning Manager Aknin stated that parking is not required for the service bays and that in this case, four spaces are required and the applicant is providing six (6) spaces.

Commissioner Petersen asked if there was an expectation of the number of cars under repair that may be parked on the street.

Planning Manager Akin answered that there should be none. In the case of this property, there is a parking lot that should absorb all the parking needs of the site. During a site visit, there were no cars parked on the street that belonged to the automobile repair business.

Commissioner Petersen asked if an additional Condition of Approval should be attached to require that no automobile repair vehicles use street parking.

Planning Manager Akin answered in the affirmative.

Planning Manager Akin stated that within the revisions to the staff report, there were additional amendments to the Conditions of Approval. These were listed as the following:

Condition of Approval 7 requires that the applicant stripe the parking lot according to the plans prior to vehicle sales on site.

Gate and fencing must be made of redwood material and shall be installed prior to vehicle sales on site.

A landscaping plan must be submitted and the landscaping installed according to the plans prior to vehicle sales on site.

Vehicles shall not back out of driveway onto 2nd Avenue.

The driveway through the Transmission shop shall remain open during Business hours.

Hours of operation shall be limited to 10 A.M. to 5 P.M.

Chair Sammut asked staff what the impact of the proposed project could have on the off-street parking adjacent to a nearby market.

Planning Manager Akin replied that with organized striping and a parking plan, parking should not be an issue. Planning Manager Akin also pointed out that with the automobile sales component, vehicles tend to be better organized and presented and this could improve the parking situation. With the addition of a six (6) month review conditioned on the application, the Planning Department will be able to monitor the parking situation in the future.

Chair Sammut stated that he was worried about the fact that by fencing off the parking, the property's parking lot will stop acting as a de facto parking lot for adjacent businesses. Chair Sammut expressed that his main concern will be for the surrounding neighborhood that will most likely absorb this loss of parking.

Planning Manager Akin replied that while he was not sure if this was indeed the current usage for the parking lot, it would be difficult to condition that the parking lot

remain open for other properties who do not meet their parking requirements. Planning Manager Akin stated that the adjacent market's use has changed slightly and does not impact area parking as much as in the past.

Chair Sammut inquired whether the market curb area was a yellow or green zone.

Planning Manager Akin answered that it may be a yellow zone but the applicant would know more about the parking situation in the area.

Chair Sammut stated that his biggest concern would be the exiting of cars back onto 2nd Avenue.

Planning Manager Akin did not feel this would be a problem.

Chair Sammut asked the applicant to address the Commission and introduce the project.

Michael Agleh, Applicant, stated that in regards to the parking, there should be no issue since there are separate lots for separate property sites.

Chair Sammut asked for clarification regarding the current parking situation.

Applicant stated that the lots are separate, as are the access points for them.

Planning Manager Akin and Applicant approached Commission with plans and clarified off microphone.

Chair Sammut asked if there were any questions for the applicant.

Commissioner Petersen explained to the applicant that the Conditions of Approval that he put forward were done to minimize the business' impact on the surrounding neighborhood. Commissioner Petersen went on to explain that these conditions were not meant to be overly restrictive on this proposal in particular, but rather to safeguard the rest of the local area. Commissioner Petersen complimented the applicant on the project proposal.

Applicant thanked the Commission.

Public Comment opened.

Public Comment closed.

Commissioner Biasotti asked if there could be a condition added to require the maintenance of the landscaping on the property.

Planning Manager Akin answered in the affirmative.

Commissioner Petersen asked for clarification on the condition that the property fencing shall be made of redwood material and whether this would require redwood slats or a fence entirely composed of redwood.

Planning Manager Akin responded that staff would like to see the fence made entirely of redwood material.

Commissioner Petersen felt this might be hard to maintain, particularly with an automobile use that requires regular opening of the gate for entrance and exit.

Applicant stated that there are currently two large gates and he would like to see one of them stay open for easy entrance and exit.

Commissioner Petersen requested clarification on the wording of the condition and thus requested the applicant to state exactly what the fencing would be constructed with.

Applicant answered that currently the fence is made of steel and chain link.

Commissioner Petersen expressed to staff that redwood fencing might be difficult to use in an automobile repair and sales setting and that he would like to add the condition that the property fencing and gate be redesigned pending the Community Development Director's approval.

Planning Manager Akin answered in the affirmative.

Motion to approve Use Permit 05-57 subject to Findings of Fact 1-10 and Conditions of Approval 1-19 with the additional Conditions of Approval 20-21 and amendment to Condition of Approval 8, as stated.

Petersen/Chase

VOTE: 5-0
AYES: All Commissioners Present
NOES:
ABSTAIN:

FINDINGS OF FACT

1. Proper notice of the public hearing was given by mailing notices to property owners within 300 feet of the project site on Friday, October 7, 2005, and legal notice published in the San Mateo Times, Saturday, October 8, 2005.
2. Noticing of the public hearing, conduct of said hearing, and an opportunity for all parties to present testimony was completed in accordance with the San Bruno Municipal Code, Article III, Zoning, Chapter 12.132.
3. The applicant has been notified, both verbally and in writing herein, of the City's provision for an administrative appeal of the Planning Commission's final action

to the City Council as provided for in the San Bruno Municipal Code, Article III, Chapter 12.140.

4. The project is Categorically Exempt per the California Environmental Quality Act (CEQA) Guidelines Class 1, Section 15301: Interior alteration to an existing facility.
5. The proposal will not under the circumstances of the particular case, be detrimental to the health, safety, morals, comfort and general welfare of the persons residing or working in the neighborhood of such proposed use.
6. The proposal will not be injurious or detrimental to property and improvement in the neighborhood or to the general welfare of the city.
7. The proposal is consistent with the San Bruno General Plan, which designates the property for commercial purposes.
8. The proposed use is a conditional uses listed in 12.96.110 C – General Commercial District of the San Bruno Zoning Code.
9. The applicant will not modify the general appearance of the building, which is in keeping with the character of the neighborhood and is not detrimental to the adjacent real property because the design and materials are similar to other industrial buildings in the area.
10. The applicant will not modify the general appearance of the building, which does not unreasonably restrict or interfere with light and air on the property and other properties in the neighborhood, does not hinder or discourage the appropriate development and use of land and buildings in the neighborhood, or impair the value thereof, and is consistent with the design and scale of the neighborhood.

CONDITIONS FOR APPROVAL

Community Development – (650) 616-7074

1. The applicant shall file a declaration of acceptance of the following conditions by submitting a signed copy of the Summary of Hearing to the Department of Planning and Building within 30 days of Planning Commission approval. Until such time as the Summary is filed, Use Permit 05-57 shall not be valid for any purpose. Use Permit 05-57 shall expire one (1) year from the date of Planning Commission approval unless a building permit has been secured prior to the one (1) year date.
2. The signed copy of the conditions of approval shall be photocopied and included as a full size page in the Building Division set of drawings
3. The request for the Use Permit for auto sales shall not constitute approval for any changes to the existing structure as shown in the plans submitted to the Planning Commission on October 18, 2005, labeled Exhibit B except as required to be

modified by these Conditions of Approval. Any modification to the approved plans shall require prior approval by the Community Development Director.

4. The operation of any equipment or performance of any outside construction related to this project shall not exceed a noise level of 85 decibels (as measured at 100 feet) during the hours of 7:00 a.m. to 10:00 p.m. or exceed 60 decibels (as measured at 100 feet) from 10:00 p.m. to 7:00 a.m.
5. Prior to Final Inspection, all pertinent conditions of approval and all improvements shall be completed to the satisfaction of the City of San Bruno.
6. Not more than four cars shall be displayed at any one time. Scope of sale shall not exceed applicant's description labeled as Exhibit "D".
7. Prior to the commencement of the sales of automobiles on the subject property, the applicant shall stripe the parking lot according to the plans labeled as Exhibit "B".
8. Prior to the commencement of the sales of automobiles on the subject property, the applicant shall install fencing and gate parallel to Second Avenue, as indicated on the plans labeled as Exhibit "B". The material for the gate and fencing shall be approved by the Community Development Director prior to the commencement of the sale of automobiles on the subject property.
9. Prior to the commencement of the sales of automobiles on the subject property, the applicant shall install landscaping between the fencing and Second Avenue, as indicated on the plans labeled as Exhibit "B".
10. The applicant shall have graffiti coating applied the fencing and gate, and all graffiti must be cleaned up immediately.
11. Cars shall not back out of the driveway onto Second Avenue.
12. The driveway through the existing transmission shop shall remain open and accessible during the hours of operation.
13. The hours of operation shall be from 10:00 am to 5:00 pm daily.
14. No vehicle sales shall occur on the street. Display of for-sale vehicles shall be located entirely on the subject property.
15. Display of for-sale vehicle shall be located on the designated parking spaces as shown in the plans labeled as Exhibit "B".
16. No parking of for-sale vehicles is allowed on the street at any time.
17. This Use Permit shall be reviewed 6 months after the Planning Commission approval to ensure that the vehicle sales is being conducted according to these

conditions of approval. Any violation of these conditions of approval shall be cause for the revocation of this permit.

Department of Public Works – (650) 616-7065

18. The applicant must obtain an encroachment permit through the Public Works Department prior to issuance of the Building Permit.

19. Drainage from parking lot shall filter low-to-moderate levels of petroleum hydrocarbons before entering into the public storm drain system.

Planning Commission

20. Property landscaping shall be maintained in accordance with City of San Bruno Municipal Code.

21. No vehicle repairs shall occur on the street. Parking of repair vehicles shall be located entirely on the subject property.

Chair Sammut advised of a 10-day appeal period.

6. City Staff Discussion

Planning Manager Akin corrected the next Architectural Review Committee meeting to reflect the November 10, 2005 date. Planning Manager Akin requested volunteers for the Architectural Review Committee Members.

Vice-Chair Mishra and Commissioner Marshall volunteered with Commissioner Chase as alternate.

Planning Manager Akin said that he would contact Commissioner Johnson for her interest as a committee member.

Commissioner Chase asked for clarification on the meeting date.

Planning Manager Akin answered that it would be November 10, 2005.

7. Planning Commission Discussion

Commissioner Biasotti asked staff if they would like to discuss the distribution of Planning Commission packets through electronic mail.

Planning Manager Aknin explained that Vice-Chair Mishra and Commissioner Biasotti thought it might save paper and time if the packets were delivered electronically. Planning Manager Aknin proposed two options:

1. The packets could be distributed on a Compact Disc (CD) for review.
2. The packets could be distributed through email.

Staff feels this could save time and paper, though continuing to distribute the packets traditionally is also an option.

Commissioner Chase stated that he prefers the paper packet for review.

Commissioner Petersen prefers the paper packet for review but would be fine not receiving the large, 24" by 36" plans.

Planning Manager Aknin added that in the future, all staff reports, agendas and minutes will be posted to the City of San Bruno official website.

Chair Sammut responded that he did not mind receiving the packets in email form, however he would still need to print them for the meeting. Chair Sammut stated that he did not need the full size plans delivered, adding that the Commission probably only needs one set of plans at the meeting for reference.

Planning Manager Aknin thanked Chair Sammut for his input.

After discussion, consensus was reached to continue using paper packets but experiment with electronic file packets with some of the Commissioners, particularly Commissioner Biasotti and Vice-Chair Mishra.

Commissioner Petersen asked staff for clarification on the delivery schedule of the staff report to the applicant and/or owner.

Planning Manager Aknin responded that the staff reports are typically mailed on Thursday or Friday, prior to the Planning Commission meeting.

Commissioner Petersen expressed concern that with some of the applicants, the staff report was not read because it was received late. Commissioner Petersen thought that they should be mailed out earlier and marked with a stamp that notes the importance of reading and understanding the Conditions of Approval prior to the Planning Commission meeting.

Planning Manager Aknin answered in the affirmative.

8. Adjournment

Tambri Heyden

Interim Secretary to the Planning
Commission
City of San Bruno

Joe Sammut, Chair
Planning Commission
City of San Bruno

NEXT MEETING: November 15, 2005

TH/tr

Meeting was adjourned at 7:38 pm